

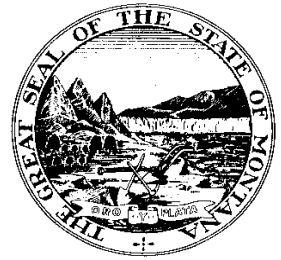
CAMPAIGN FINANCE AND PRACTICES

FREQUENTLY ASKED QUESTIONS

About

Disclaimers Required on Election Materials (10/04)

Montana Code Annotated § 13-35-225



This guide is intended only as a summary to aid understanding of Campaign Finance and Practices Laws. For complete requirements, consult Montana Code Annotated Title 13, Chapters 35 and 37.

NEW REQUIREMENTS!!!

ELECTION MATERIAL CONTAINING INFORMATION
ABOUT ANOTHER CANDIDATE'S VOTING RECORD
MUST INCLUDE:

- A reference to the particular vote or votes upon which the information is based.
- The disclosure of contrasting votes by the candidate on the same issue, if closely related in time; and
- A verification statement that affirms, to the best of the signer's knowledge, the information supplied about the candidate's voting record is accurate and true.
- *If election material is prepared for a candidate, that candidate must sign the verification statement.*
- *If election material is not prepared for a candidate, the person or legal agent of the person financing the communication must sign the verification statement.*

What is a disclaimer?

...a statement providing the identity of the person who has paid for campaign materials.

What are election materials?

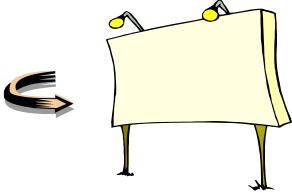


....communications that advocate the success or defeat of a candidate, political party, or ballot issue, including, but not limited to, broadcast media, newspapers, billboards, direct mail, posters, bumper stickers, Internet websites, and other forms of general political advertising.



Where is the disclaimer to be placed?

The communication must *clearly and conspicuously* state the disclaimer information. In the case of a message provided through broadcast media, a disclaimer might typically state at the conclusion of the message: “Paid for by Smith for Senate, P.O. Box 292, Helena, 59604.” In the case of print media, the disclaimer typically is placed at the bottom of the communication. On yard signs, billboards, and other similar advertising, the disclaimer must be placed on the *front* of the material.



What must a disclaimer contain?

Political committees, such as political action committees, political party committees, and ballot issue committees, **must** include the name of the committee AND the name of the committee treasurer, along with the mailing address of either the committee or the committee treasurer. For example:

Paid for by Support Our Schools, Linda Evans, Treasurer
P. O. Box 350, Helena, MT 59624

Political candidates must include the name and complete mailing address of the candidate or the candidate's campaign. Examples:

Paid for by Frank Smith
P. O. Box 292, Helena, MT 59604

OR

Paid for by Smith for Senate
P. O. Box 292, Helena, MT 59604

*The name of the candidate's campaign treasurer may be but **is not required to be** included.*

What other information is required?



If a candidate's election is partisan, the communication **MUST** state the candidate's party affiliation or include the party symbol. The affiliation may be identified in the body of the communication OR in the disclaimer.

What if I unintentionally have omitted the disclaimer?

Upon discovery of the oversight, the person financing the communication must notify the commissioner within five (5) days and make every reasonable effort to bring the

material into compliance. No further dissemination should be made of election material that is not in compliance.

If my article of advertising is too small to include a disclaimer?

....then it is necessary to file a copy of the article with the commissioner, together with the required disclaimer information at the time of the publication or dissemination of the communication.

REMEMBER:

ELECTION MATERIALS CANNOT BE ANONYMOUS!